

ENTERED

February 15, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FANTASTIC SAMS FRANCHISE CORPORATION,

Plaintiff,

v.

GERALD MOSLEY,

Defendant.§
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CIVIL ACTION H-16-2318

ORDER


Pending before the court is plaintiff Fantastic Sams Franchise Corporation's ("Fantastic Sams") motion for a permanent injunction to require defendant Gerald Mosley to comply with the Fantastic Sams Salons Corporation License Agreement (the "Agreement"). Dkt. 22. A hearing was held on February 14, 2017. Based on the Agreement, the motion, the response, the reply, the arguments made at the hearing, and the applicable law, the court is of the opinion that a permanent injunction should be GRANTED IN PART.

The court ORDERS as follows:

1. For a period of two years from April 17, 2016, Defendant and all those who act in concert or participation with him are HEREBY ENJOINED from directly or indirectly participating as an owner, partner, member, director, officer, employee, consultant, lender, or agent, or serve in any other capacity in any business engaged in the sale or rental of products or services the same as or substantially similar to those of the Fantastic Sams System, within a five mile radius of his former Fantastic Sams salon, including, without limitation, the competing hair salon located at 14710 Mueschke Rd. Suite 500 Cypress, TX 77429; and

2. Defendant and all those who act in concert or participation with him are HEREBY ENJOINED from conducting business in any manner that gives the general public the impression that the Fantastic Sams Salons Corporation License Agreement is still in force or that Defendant is in any way associated with Fantastic Sams.

Signed at Houston, Texas on February 15, 2017.



Gray H. Miller
United States District Judge